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EXAMINER

PHAM, MINH CHAU

ART UNIT

PAPER NUMBER

3654

DATE MAILED: 04/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/772,177

Applicant(s)

YOUNG ET AL.

Examiner

Minh-Chau Pham

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the stopping means (see claim 16) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

1. The abstract of the disclosure is objected to because of the use of implied phrases such as "is disclosed", and the language should not repeat the information given in the title. Correction is required. See MPEP § 608.01(b). In addition, there should be a period (.) at the end of the line 3.

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

3. Claims 9 and 17 are objected to because of the following informalities:

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a. in claim 9, line 1, typographical error “for a guiding” should be “for guiding”, and at the end of the claim, missing a period (.); and

b. in claim 17, line 1, typographical error of “photoconductor”.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the relationship between a gimbal direction, a gimbal axis, and a caster axis with respect to a steering roller. The relationship between these axes and the steering roller are essential in defining how the steering roller is pivoted or biased.

Regarding claims 1, 9, and 17, what is “a gimbal direction”? What frame of reference are applicants defining the gimbal direction and how is it related to the steering roller? For the purpose of examination, the examiner will assume the gimbal direction is parallel to the moving web and perpendicular to the steering roller.

Regarding claims 4, 7, 10, 11, and 20, what is “a gimbal axis”? How is the gimbal axis related to the gimbal direction, and with respect to what axis or frame of reference are applicants

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defining the gimbal axis? For the purpose of examination, the examiner will assume the gimbal axis is parallel and lies in the gimbal direction.

Regarding claims 7, 8, 10, and 20, what is “a caster axis”? How does it relate to the gimbal axis, and with respect to what axis or frame of reference are applicants defining the caster axis? For the purpose of examination, the examiner will assume the caster axis is perpendicular to the gimbal axis.

Regarding claims 7, 10, and 20, last line, is “a gimbal axis” the same as or different than “a gimbal axis” in line 3 of the claims? For the purpose of examination, the examiner will assume they are the same.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-2, 9, 14, and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Moe et al. (US 5,659,851).

Moe et al. disclose applicants' claimed invention, specifically teaching a web tracking apparatus (10) and a method of web tracking adjustment, for guiding a moving web/photoconductor loop (12) in a predetermined path of travel relative to a stationary frame (84)(col. 7, lines 6-8), comprising:

a gimbaled steering roller (14) having a lateral constraint (61A)(62A);

a means for biasing (88) in a gimbal direction (56);

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a means for adjusting (90)(94)(96);

a roller shaft (59); and

a stopping means (80)(82).

9. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Morse (US 3,913,813; ref. 4 in form PTO-1449).

Morse discloses applicants' claimed invention, specifically teaching a method of web tracking adjustment, for guiding a moving web (15) in a predetermined path of travel relative to a stationary frame (53), comprising:

biasing a steering roller (11) in a gimbal direction (20);

adjusting the bias (60)(70)(72);

mounting the steering roller to the stationary frame (53)(col. 6, lines 1-3); and

pivoting the steering roller about a caster axis (30)(col. 6, lines 15-20).

10. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Morse et al. (US 3,608,796).

Morse et al. disclose applicants' claimed invention, specifically teaching a method of web tracking adjustment, for guiding a moving web (16) in a predetermined path of travel relative to a stationary frame (14), comprising:

biasing a steering roller (2) in a gimbal direction (34);

adjusting the bias (36)(44)(46);

mounting the steering roller to the stationary frame [see Fig. 1, where (12) mounts (2) to (14)]; and

pivoting the steering roller about a caster axis (32).

Allowable Subject Matter

11. Claims 3-7, 10-13, 15, and 19-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record, taken as a whole, fails to disclose or render obvious a method of web tracking adjustment or a web tracking apparatus comprising all the limitations claimed, including an edge guide that is axially slidable as recited in claims 3, 15, and 19, an end two of the spring that is mounted to one end of the steering roller such that the spring applies a rotational force as recited in claims 4 and 11, and a shaft that is mounted to the housing by spring flexures as recited in claims 7, 10, and 20.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Vasilantone (US 3,973,446), Castelli et al. (US 4,286,706), and Blanding (US 5,397,043) are cited to show steering rollers with lateral constraints; Swanke et al. (US 3,974,952), Swanke et al. (US 3,986,650), and Bennett et al. (US 6,195,518 B1) are cited to show roller shafts mounted on spring flexures; Yokota (US 4,429,985), Blanding (US 4,996,563), Blanding (US 5,019,864), Wong (US 5,225,877), and Moe et al. (US 6,134,406) are cited to show steering rollers with biasing means

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau Pham whose telephone number is (703) 305-0766. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Matecki can be reached on (703) 308-2688. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Minh-Chau Pham
Examiner
Art Unit 3654

pmc
April 10, 2002